

ASSEMBLY BILL

No. 2274

Introduced by Assembly Member Beall

February 18, 2010

An act to amend Section 12304.2 of the Welfare and Institutions Code, relating to in-home supportive services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2274, as introduced, Beall. In-Home Supportive Services program.

Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law allows a recipient who receives services through either a contract or a managed care provider, subject to program requirements, to select any qualified person, as defined, to provide care.

This bill would also allow a person who receives services as part of an entity authorized by a specified waiver under the federal Social Security Act to select any qualified person to provide care.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12304.2 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 12304.2. (a) A recipient who receives services under this article
- 4 through ~~either a contract or~~, a managed care provider, *or an entity*

1 *authorized by a waiver under Section 1115 of the federal Social*
2 *Security Act (42 U.S.C. Sec. 1315) may, subject to program*
3 *requirements, select any qualified person to provide care under*
4 *this article.*

5 (b) For purposes of this section, “qualified person” means ~~any~~
6 *an employee of the contract* ~~or provider~~, managed care provider,
7 *or entity authorized by the federal waiver*, through which the
8 recipient may receive services under this article, who is available
9 and eligible to provide the services.